

## Message Text

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ACTION EB-07

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FM AMEMBASSY LONDON

TO SECSTATE WASHDC PRIORITY 1793

UNCLAS SECTION 01 OF 02 LONDON 08741

FOR BUSHNELL EB/CBA/BP

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TAGS: ETRD, UK

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1. WE DISCUSSED CONTENTS OF REFTEL B WITH SPORTS MINISTER HOWELL'S PRIVATE SECRETARY AND ALLAN HEYMAN, PAST PRESIDENT OF ILTF. BOTH THANKED US FOR OUR PROMPT AND FORTHCOMING RESPONSE. THE MINISTER'S OFFICE DOES NOT FEEL IT NEEDS TOPURSUE THIS MATTER ANY FURTHER.

2. HEYMAN, HOWEVER, CONTINUES TO BE CONCERNED OVER THE POSSIBILITY THAT THE ILTF AND A PROFESSIONAL COUNCIL WHICH IT SET UP LAST YEAR TO DEAL WITH PROFESSIONAL TENNIS AND IN PARTICULAR THE SANCTIONING OF TOURNAMENTS, MAY STILL RUN AFOUL OF US ANTI-TRUST LEGISLATION. AS PRESENTLY CONSTITUTED THE PROFESSIONAL TENNIS COUNCIL CONSISTS OF SEVEN MEMBERS: THREE APPOINTED BY THE ILTF AND THREE APPOINTED BY THE ASSOCIATION OF TENNIS PROFESSIONALS (ATP -- THE LARGEST OF SEVERAL PROFESSIONAL TENNIS PLAYERS ORGANIZATIONS, HEADED BY JACK KRAMER) PLUS THE PRESIDENT OF THE ILTF.

3. ACCORDING TO HEYMAN THIS COUNCIL HAS IN MOST RESPECTS FUNCTIONED QUITE SATISFACTORILY. IT HAS, HOWEVER, SUFFERED FROM ONE SERIOUS WEAKNESS IN THAT OTHER GROUPS OF PROFESSIONAL TENNIS PLAYERS AND PROMOTERS (I.E., THE GROUP CONTROLLED BY BILL REARDON WHICH INCLUDES JIMMY CONNORS AND THE WCT HEADED BY

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LAMAR HUNT) ARE NOT REPRESENTED. AS A RESULT OF THIS

THE US MEMBERS ON THE COUNCIL IN SOME CASES HAVE BEEN UNABLE TO EXERCISE THEIR JUDGMENT FAIRLY FOR FEAR OF AN ANTI-TRUST SUIT BY THESE OTHER GROUPS. THIS FACTOR HAS REDUCED THE USEFULNESS OF THE COUNCIL.

4. HEYMAN WISHES TO ALLAY THESE FEARS AND COOPERATE FULLY WITH THE JUSTICE DEPARTMENT. IN ORDER TO DO THIS AND HOPEFULLY TO REACH AN EQUITABLE SOLUTION TO THE PROBLEMS CONCERNING REPRESENTATION AND TOURNAMENT SANCTIONING, HE WOULD LIKE TO LEARN JUSTICE'S REACTIONS TO SEVERAL QUESTIONS PRIOR TO THE ILTF FRAMING NEW PROPOSALS FOR ITS ANNUAL GENERAL MEETING TO BE HELD IN BARCELONA ON JULY 9, 1975. THESE QUESTIONS ARE: (A) DOES THE JUSTICE DEPARTMENT SUPPORT THE VIEW THAT IN ORDER TO HAVE AN ORDERLY WORLDWIDE DISTRIBUTION OF TENNIS TOURNAMENTS IT IS NECESSARY TO HAVE A SANCTIONING BODY? (B) DOES THE JUSTICE DEPARTMENT ACCEPT THAT THE ULTIMATE SANCTIONING POWER, IF THERE IS DISAGREEMENT ON THE PROFESSIONAL COUNCIL SHOULD BE LEFT IN THE HANDS OF THE COMMITTEE OF MANAGEMENT OF THE ILTF, WHICH REPRESENTS ALL THE TENNIS PLAYING NATIONS IN THE WORLD AND WHOSE MEMBERS BY ITS RULES ARE PROHIBITED FROM HAVING ANY MONETARY INTEREST IN THE GAME OF TENNIS? (C) IN WHAT MANNER DOES THE JUSTICE DEPARTMENT CONSIDER THAT REPRESENTATION ON THE

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TO SECSTATE WASHDC PRIORITY 1794

UNCLAS SECTION 02 OF 02 LONDON 08741

FOR BUSHNELL EB

PROFESSIONAL COUNCIL SHOULD BE GIVEN TO THE PROFESSIONAL

PLAYERS AND/OR PROMOTORS? LAST YEAR IT WAS NOT POSSIBLE FOR ILTF TO INCLUDE ANY REPRESENTATIVES OUTSIDE ATP AS THIS ORGANIZATION MADE IT QUITE CLEAR THAT THEY WOULD NOT COOPERATE ON THE COUNCIL. ILTF IS UNABLE TO ACCEPT THIS AND ACCORDINGLY AN INTIMATION OF WHAT WOULD BE ACCEPTABLE TO THE JUSTICE DEPARTMENT FROM AN ANTI-TRUST POINT OF VIEW WOULD STRENGTHEN ITS HAND ENORMOUSLY. E.G., THAT ATP HAD TWO REPRESENTATIVES, BILL REARDON ONE REPRESENTATIVE AND LAMAR HUNT ONE REPRESENTATIVE. (D) ILTF IS ACUTELV AWARE OF THE FACT THAT A NUMBER OF NATIONS INCLUDING THE USA CANNOT PERMIT A PROFESSIONAL COUNCIL TO BAN A PLAYER; I.E., PREVENTING HIM FROM EARNING HIS LIVING. THE ILTF DOES NOT THEREFORE PROPOSE TO GIVE THE PROFESSIONAL COUNCIL THE POWER TO BAN A PLAYER IF HE OR SHE MISBEHAVES,BUT IT IS NONETHELESS POWERLESS TO INTERVENE IF A NATION BANS A PLAYER FROM PLAYING WITHIN ITS OWN NATIONAL TERRITORY; E.G., GREAT BRITAIN CAN PREVENT A PLAYER FROM PLAYING IN THE BRITISH TOURNAMENTS SUBJECT ALWAYS TO BRITISH LEGISLATION THE MANNER FOR WHICH HE IS TRAINED.

5. IF POSSIBLE, HEYMAN WOULD APPRECIATE AN INFORMAL REACTION TO THESE QUESTIONS PRIOR TO THE ILTF PREPARATORY COMMITTEE MEETING IN PARIS ON JUNE 12.

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